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5 IN THE UNITED STATES DISTRICT COURT
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7 FOR THE NORTHERN DISTRICT OF CALIFORNIA

8 FRANCOIS ROSS, No. C 06-04251 TEH

9 Plaintiff,

ORDER OF DISMISSAL

10 v.

11 MERVYNNS,

12 Defendant.

13 _____ /
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15 The Parties hereto, by their counsel, having advised the Court that they have agreed to a
16 settlement of this cause,

17 IT IS HEREBY ORDERED that this cause be dismissed with prejudice; provided, however,
18 that if any party hereto shall certify to this Court, with proof of service of a copy to opposing
19 counsel, within thirty (30) days from the date of this order, that the agreed consideration for said
20 settlement has not been delivered over, the foregoing Order shall stand vacated and this cause shall
forthwith be restored to the calendar to be set for trial.
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23 Dated: 10/09/07

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25 THELTON E. HENDERSON
26 UNITED STATES DISTRICT JUDGE
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